

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

ROSS MACLIN,

Plaintiff,

File No. 2:15-cv-76

v.

HON. ROBERT HOLMES BELL

SUSAN WILSON,

Defendant.

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**ORDER**

For the reasons stated in the Opinion entered this date,

**IT IS HEREBY ORDERED** that Plaintiff's objections (ECF No. 24) to the Report and Recommendation (R&R) of the magistrate judge are **GRANTED IN PART** and **OVERRULED IN PART**.

**IT IS FURTHER ORDERED** that the June 20, 2016, R&R (ECF No. 23) is **ADOPTED IN PART** and **REJECTED IN PART**. It is adopted as the opinion of this Court to the extent that it recommends granting summary judgment in favor of Defendant on Plaintiff's Eighth Amendment claim. It is rejected to the extent that it recommends granting summary judgment on Plaintiff's retaliation claim.

**IT IS FURTHER ORDERED** that Defendant's motion for summary judgment (ECF No. 13) is **GRANTED IN PART** and **DENIED IN PART**.

**IT IS FURTHER ORDERED** that **PARTIAL JUDGMENT** is awarded in favor of Defendant as to Plaintiff's claim arising under the Eighth Amendment.

**IT IS FURTHER ORDERED** that Plaintiff's motion to strike Defendant's response to the R&R (ECF No. 26) is **DENIED**.

Date: September 23, 2016

/s/ Robert Holmes Bell  
ROBERT HOLMES BELL  
UNITED STATES DISTRICT JUDGE